(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

W.P. (S) NO. 3582 /2006 **SINGLE BENCH**

PETITIONER : Priyaranjan Singh S/o. Mangal Charan Singh, Aged about 46 years, R/o. Navapara, Ambikapur, District Surguja (CG)

VERSUS

RESPONDENTS :

1] State of Chhattisgarh, Through: Secretary, Tribal Welfare Department, D.K.S. Bhawan, Raipur, District Raipur (CG)

2] Commissioner, Tribal Welfare Department, Raipur, District Raipur (CG)

3] Collector, Surguja District Surguja (Chhattisgarh)

4] Assistant Commissioner, Tribal Welfare Department, Collector Campus, Ambikapur, District Surguja (Chhattisgarh)

5] Rambriksha Maravi, Incharge Block Education Officer, Pratappur, District Surguja (CG)

P.R. No. 3632/06
Presented by Shri V.A. Goverdhan
Dated 17/7/06

RECEIVED-COPY
17/7/06
CLERK to A. G. BILASPUR

17/7/06

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ....W.P.3562/ **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

19-7-2006

Mr. Manoj Paranjpe, counsel for the petitioner.

Mr. Sumesh Bajaj, Govt. Advocate for the State/respondents No.1 to 4, on advance copy.

Heard both the counsel.

The main grievance of the petitioner raised in this writ petition under Article 226/227 of the Constitution of India is that vide the impugned order dated 7-7-2006 (Annexure P-9) passed by respondent No.1, respondent No.5 has been transferred on the post of In-charge Block Education Officer, Block: Pratappur, District: Surguja, where the petitioner is already working. Therefore, the impugned order is bad in law because, when the petitioner is already working, without passing any order in respect of the petitioner, respondent No.5 has been posted in place of the petitioner and the petitioner was posted as In-charge Block Education Officer vide order dated 9-6-2006 (Annexure P-2) till the regular Block Education Officer is appointed.

In the circumstances, learned counsel for the petitioner submits that the petitioner may be allowed to make a representation to respondent No.1 in order to bring out all these anomalies to the notice of respondent No.1, to which learned counsel appearing for the State/respondents No.1 to 4 has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on the merits of the case, the prayer made by learned

P.T.O.

(41)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...W.P.3562/**सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation along with a copy of this petition to respondent No.1 within 10 days from today and in turn, respondent No.1 is directed to decide the representation of the petitioner within a period of 30 days from the date of its receipt, after considering all the points raised by the petitioner, in accordance with law. In the mean time, the effect and operation of the impugned order dated 7-7-2006 (Annexure P-9) is stayed, in respect of respondent No.5, till the decision on the petitioner's representation.

With the directions aforesaid, the petition stands disposed of.

Consequently, M.(W.)P.No.2756/2006 and I.A.No.6927/2006 also stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Soma

P.T.O.